

tees of such counties, and ratifying and confirming said act of such Boards, and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

WELDON, Vice-Chairman.

Austin, Texas, January 30, 1939.

Hon. R. Emmett Morse, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. C. R. No. 26, Inviting Nathan Straus, United States Housing Administrator, to address a Joint Session of the State Legislature on March 3, 1939.

Has carefully compared same and finds it correctly engrossed.

WELDON, Vice-Chairman.

FIFTEENTH DAY

(Wednesday, February 1, 1939)

The House met at 10:00 o'clock a. m., pursuant to adjournment, and was called to order by Speaker Morse.

The roll of the House was called, and the following Members were present:

Mr. Speaker	Cockrell
Allen	Coleman
Allison	Colquitt
Alsup	Colson, Mrs.
Anderson	Cornett
Bailey	Corry
Baker	Crossley
of Fort Bend	Davis of Jasper
Baker of Grayson	Davis of Upshur
Blankenship	Dean
Bond	Dickison
Boyd	Dickson
Boyer	Donaghey
Bradbury	Dowell
Bradford	Dwyer
Bray	Faulkner
Bridgers	Felty
Broadfoot	Ferguson
Brown of Cherokee	Fielden
Brown	Fuchs
of Nacogdoches	Galbreath
Bundy	Gilmer
Burkett	Goodman
Burney	Hale
Cauthorn	Hamilton
Celaya	Hankamer
Chambers	Hardeman
Clark	Hardin
Cleveland	Harp

Harper	Pevehouse
Harrell of Bastrop	Piner
Harrell of Lamar	Pope
Harris	Ragsdale
Hartzog	Reader of Bexar
Heflin	Reader of Erath
Holland	Reaves
Howard	Reed
Howington	Rhodes
Hull	Riviere
Hunt	Roach
Isaacks	Roberts
Johnson of Ellis	Robinson
Johnson of Tarrant	Russell
Keith	Schuenemann
Kennedy	Segrist
Kern	Shell
Kerr	Skiles
Kersey	Smith of Frio
Kinard	Smith of Hopkins
King	Smith
Langdon	of Matagorda
Lehman	Spencer
Leonard	Stinson
Leyendecker	Stoll
Little	Talbert
Lock	Tarwater
Loggins	Taylor
London	Tennant
Mays	Thornberry
McAlister	Thornton
McDaniel	Turner
McDonald	Vale
McFarland	Vint
McMurry	Voigt
McNamara	Waggoner
Mohrmann	Weldon
Monkhouse	Wells
Montgomery	Westbrook
Morris	White
Newell	Wilson
Nicholson	Winfree
Oliver	Wood
Olsen	Worley
Pace	Wright
Petsch	

Absent—Excused

Bell	Derden
Daniel	Gordon, Mrs.

A quorum was announced present.

Prayer was offered by Rev. George W. Coltrin, Chaplain, as follows:

"Lord, we are grateful to Thee this morning for health of body and mind, for the trust reposed in us by our people, and for our privileges as citizens of a great land. So direct us that we may use our large powers well, and that due consideration and cooperation may make us fruitful of good works. In Jesus' name. Amen."

LEAVES OF ABSENCE GRANTED

The following Members were granted leaves of absence on account of important business:

Mr. Bell for today, on motion of Mr. Thornberry.

Mrs. Gordon for today, on motion of Mrs. Colson.

Mr. Daniel for today, on motion of Mr. Langdon.

Mr. Derden for today, on motion of Mr. Skiles.

HOUSE BILLS ON FIRST READING

The following House bills, introduced today, were laid before the House, read severally first time, and referred to the appropriate committees, as follows:

By Mr. Goodman, Mr. Cauthorn, Mr. Isaacks, Mr. Burkett, Mr. Kinard, Mr. Crossley and Mr. Dickison:

H. B. No. 366, A bill to be entitled "An Act to create a Soldiers' and Sailors' Home in the State of Texas, providing that said Home shall be operated in conjunction with the Confederate Home at Austin, Texas, and placing the operation thereof under the supervision of the State Board of Control; providing that inmates may be discharged for admission procured by fraud or misrepresentation and determining eligibility for admission; providing for deposit of pensions or other compensation received from the United States Government with Superintendent and determining expenditure thereof, and providing that wife of ex-service man may be admitted to residence, and where wife of ex-service man is admitted, then such pension or compensation received shall be deposited with Superintendent under rules and regulations promulgated by the State Board of Control for expenditure for her benefit, and providing further for the care and maintenance of inmates, and in the event of death of ex-service man, his widow may be transferred to Confederate Woman's Home at Austin, Texas, if she so desires or may remain in said Soldiers' and Sailors' Home, and providing that the Board of Control is authorized to receive donations in aid of such Home, and that Superintendent of Confederate Home shall also act as Superintendent of Soldiers' and Sailors' Home, and providing that

wherever practical ex-service men, their wives or dependents, shall be employed in the operation of said Home, and providing that Board of Control may negotiate with the Federal Government for aid and assistance in support thereof, and declaring an emergency."

Referred to the Committee on State Eleemosynary and Reformatory Institutions.

By Mr. Lock:

H. B. No. 367, A bill to be entitled "An Act to validate all county line independent rural high school districts partly situated in three (3) counties, the supervision of said schools being located in counties having a population of not less than eleven thousand, four hundred and twelve (11,412) nor more than eleven thousand, nine hundred (11,900), as shown by the last preceding Federal Census, validating the actions of the County School Board of Trustees of such counties; validating all proceedings and actions of said Boards of Trustees; providing a saving clause, and declaring an emergency."

Referred to the Committee on School Districts.

By Mr. Rhodes:

H. B. No. 368, A bill to be entitled "An Act creating a Special Road Law for Robertson County, Texas, providing that said County may fund or refund the indebtedness outstanding against its Road and Bridge Fund as of January 1, 1939, setting forth the method of operation; validating the indebtedness proposed to be funded or refunded; validating all acts and proceedings heretofore had by the Commissioners Court of said County, and officers thereof, in respect to the funding or refunding of said indebtedness; providing this law shall be cumulative of General Laws on the subject of roads and bridges and General Laws on funding or refunding bonds, not in conflict herewith; enacting provisions incident and relating to the subject and purpose of this Act; repealing all laws in conflict, and declaring an emergency."

Referred to the Committee on Counties.

By Mr. White:

H. B. No. 369, A bill to be entitled "An Act to provide that the Journal

of the House of Representatives of the Forty-sixth Legislature be placed in every public school house, every public library and every State maintained college and university in the State of Texas; defining the terms 'school house' and 'public libraries' for the purposes for this Act, and declaring an emergency."

Referred to the Committee on Contingent Expenses.

By Mr. Kerr:

H. B. No. 370, A bill to be entitled "An Act providing that the Board of Directors of the Lower Colorado River Authority and its agents shall keep the water level at Buchanan Dam at one thousand (1,000) feet, with certain exceptions, fixing venue, providing a penalty for the violation of this Act, and declaring an emergency."

Referred to the Committee on Criminal Jurisprudence.

By Mr. Piner:

H. B. No. 371, A bill to be entitled "An Act amending Article 666-21, Penal Code, setting the amount of tax on spirituous alcoholic liquor, still wines, sparkling wines, carbonated wines and malt liquor as sold in this State, and declaring an emergency."

Referred to the Committee on Revenue and Taxation.

By Mr. Cauthorn, Mr. Hankamer, Mr. Goodman, Mr. Bridgers, Mr. Gilmer, Mr. Monkhouse, Mr. Hardeman and Mr. Isaacks:

H. B. No. 372, A bill to be entitled "An Act dedicating and establishing the Big Bend National Park in Brewster County, Texas, and defining the area of said Park and defining the duties and powers of the Texas State Parks Board in regard thereto, and transferring certain lands belonging to the State Public School Fund to the State of Texas for park purposes only, and providing a consideration therefor, and transferring and conveying certain mineral estates now owned by the State Public School Fund in said area to the State of Texas for park purposes only and providing a consideration for said transfer and conveyance; and authorizing the Board to make exchange of lands previously acquired for park purposes under certain Acts lying outside the area defined by this Act for land lying within

said area and fixing a maximum price that shall be paid by the Board for the purchase of land in said area where said consideration is to be paid out of appropriations from the General Fund of the State, and further providing that all lands acquired by the State for park purposes under Chapter 100, Acts, First Called Session, Forty-third Legislature, within said area is to be transferred to the State of Texas for park purposes and to be designated as a part of the land dedicated herein as the Big Bend National Park, and making an appropriation for the carrying out of the provisions of this Act and providing a method for disbursing said appropriation and providing that the United States Government may acquire title to said property within said area and authorizing a conveyance by the State of Texas to the United States Government for park purposes, and declaring an emergency."

Referred to the Committee on Public Lands and Buildings.

By Mr. Hankamer:

H. B. No. 373, A bill to be entitled "An Act to withdraw from sale or lease all public free school lands heretofore authorized by any law of this State to be sold or leased; providing that such withdrawal shall not apply to applications to purchase or lease filed prior to the effective date of this Act or to applications involved in litigation now pending, and declaring an emergency."

Referred to the Committee on Public Lands and Buildings.

By Mr. Hardeman, Mr. Goodman and Mr. Reaves:

H. B. No. 374, A bill to be entitled "An Act providing for the holding of college entrance examinations; authorizing the setting up of rules and regulations necessary thereto; providing for the setting up of a system of fees and for the depositing of fees; describing college entrance examination funds; providing no debt shall be created against said fund and providing for a balance in said fund, and declaring an emergency."

Referred to the Committee on Education.

By Mr. Hankamer:

H. B. No. 375, A bill to be entitled "An Act relating to public lands, and,

in connection therewith, providing: for the creation of a Public Land Board; for the sale of certain public lands and for the withdrawing of others from sale; for the forfeiture, reinstatement, recovery, location, determination, lease, control, and administration of certain public lands, and for the fixing, declaring and determining of rights, privileges, and duties of the State, of certain officers and agencies thereof, and of various persons, with respect thereto; for the lease and development of certain public lands for oil, gas and sulphur, but specifically excluding those dedicated or belonging to the University of Texas or the Agricultural and Mechanical College of Texas; for the development of certain public lands for minerals other than oil, gas and sulphur; for saving and preserving certain rights, causes of action, and suits under existing laws which are repealed or modified; for repealing laws and parts of laws in conflict; and declaring that provisions of the Act are separable and, regardless of invalidity of part of the Act, the balance would have been passed, and also declaring an emergency."

Referred to the Committee on Public Lands and Buildings.

By Mr. Bond, Mrs. Colson, Mr. Rhodes and Mr. Piner:

H. B. No. 376, A bill to be entitled "An Act to amend the laws relating to local mutual aid associations by amending Chapter 274, Acts of the Regular Session of the Forty-first Legislature, Section 11, in order to better regulate groups or classes of members and their assessments and benefits; repealing Section 13 of said Act; amending Section 17 of said Act with regard to funds and revenues; amending Section 26 of said Act, as amended by Chapter 201, Acts of the Regular Session of the Forty-second Legislature, as to dissolution and forfeitures; repealing all laws in conflict herewith, and declaring an emergency."

Referred to the Committee on Insurance.

By Mr. Harrell of Lamar, Mr. Turner and Mr. Colquitt:

H. B. No. 377, A bill to be entitled "An Act to repeal Article 978f, Revised Penal Code of the State of Texas, establishing the Game, Fish

and Oyster Commission of Texas, and creating in lieu thereof the office of Game, Fish and Oyster Commissioner of the State of Texas, which office shall be filled by appointment of the Governor of the State of Texas; prescribing the qualifications of the Commissioner, fixing his compensation, providing for a bond to be executed by him; vesting such powers as now are exercised by the Game, Fish and Oyster Commission in the Commissioner so appointed; providing for the appointment of an Advisory Board, which shall have the power to fix all rules and regulations relating to wild life, including game, fish and oysters to be followed by the Game, Fish and Oyster Commissioner in the conduct of his office; and giving such Advisory Board the power to close any designated area with reference to the taking of game, fish and oysters and providing the method therefor; repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

Referred to the Committee on Game and Fisheries.

By Mrs. Colson:

H. B. No. 378, A bill to be entitled "An Act to amend Article 4494 of the Revised Civil Statutes of Texas, 1925, by adding 4494b to allow counties of certain size to lease their county hospitals, and declaring an emergency."

Referred to the Committee on Counties.

By Mr. Boyd and Mr. Thornberry:

H. B. No. 379, A bill to be entitled "An Act amending Section 1 of House Bill No. 1002, Chapter 363 of the Forty-fifth Legislature, Regular Session, 1937, relating to compensation of County Commissioners in certain counties, repealing all laws in conflict therewith, and declaring an emergency."

Referred to the Committee on Counties.

By Mr. Harris:

H. B. No. 380, A bill to be entitled "An Act applying to counties which have a population of five thousand, five hundred and eighty-six (5,586) in the Federal Census of 1930 and a scholastic population of one thousand, six hundred and ninety-four (1,694) in the scholastic year 1938-1939, and

providing exemptions relative to tax rates, and declaring an emergency."

Referred to the Committee on Counties.

By Mr. Anderson and Mr. Reader of Bexar:

H. B. No. 381, A bill to be entitled "An Act amending Article 200, Title 6, Chapter 2 of the Penal Code of the State of Texas, 1925, making it unlawful to give out any poll tax receipt, or certificate of exemption in blank, to issue any poll tax receipt, or certificate of exemption in blank, or to deliver any poll tax receipt or certificate of exemption to any fictitious person, fixing a penalty therefor, and declaring an emergency."

Referred to the Committee on Criminal Jurisprudence.

BILLS ORDERED NOT PRINTED

On motion of Mr. Brown of Cherokee, House Bill No. 360 was ordered not printed.

On motion of Mr. Burney, House Bill No. 212 was ordered not printed.

On motion of Mr. Hardeman, House Bill No. 341 was ordered not printed.

On motion of Mr. Hardeman, House Bill No. 348 was ordered not printed.

On motion of Mr. Tarwater, Senate Bill No. 103 was ordered not printed.

On motion of Mr. Gilmer, House Bill No. 316 was ordered not printed.

On motion of Mr. Newell, House Bill No. 271 was ordered not printed.

On motion of Mr. Roach, House Bill No. 293 was ordered not printed.

On motion of Mr. King, House Bill No. 274 was ordered not printed.

On motion of Mr. Baker of Fort Bend, House Bill No. 192 was ordered not printed.

On motion of Mr. Burkett, House Bill No. 349 was ordered not printed.

On motion of Mr. Little, House Bills Nos. 281 and 298 were ordered not printed.

On motion of Mr. Little, Senate Bill No. 84 was ordered not printed.

RELATIVE TO HOUSE BILL NO. 241

Mr. Vale asked unanimous consent of the House to withdraw House Bill No. 241 from further consideration by the House.

There was no objection offered, and it was so ordered.

ADDITIONAL SIGNER OF HOUSE BILL NO. 194

By unanimous consent of the House, Mr. Bond was authorized to sign House Bill No. 194, as co-author of same.

CONCERNING CERTAIN CONSTITUTIONAL PROVISIONS

Mr. Hardin offered the following resolution:

H. S. R. No. 103, Concerning certain constitutional provisions.

Whereas, On January 17, 1939, W. Lee O'Daniel was duly sworn in as Governor of the State of Texas, and since that time has been performing the duties incumbent with the office; and

Whereas, Section 6, Article IV of the Constitution of Texas provides that any man holding the office of Governor of Texas shall not hold any other office, civil, military or corporate; and

Whereas, Governor W. Lee O'Daniel, having held the office of President of the W. Lee O'Daniel Flour Corporation, resigned said position in favor of his son, Pat O'Daniel, who was duly elected President of said organization; and

Whereas, The said W. Lee O'Daniel did not sell or convey his stock in the said corporation to anyone else, but still holds same, with all copyrights and privileges to the Hillbilly brand, trademark and name; and

Whereas, Section 6 of Article IV of the Constitution further states that the Governor shall not practice any other profession, and it would seem that in carrying on the profession of milling, manufacturing and selling of merchandise that W. Lee O'Daniel is ignorantly violating the Constitution of the State of Texas, because of the fact that the said Section further states that he shall receive no reward or compensation from any person or corporation, and by virtue of continuing to operate the W. Lee O'Daniel Flour Corporation, even though he resigned the Presidency of said corporation in favor of his son, Pat O'Daniel, it is reasonable to suppose that the profit, reward and compensation for owning and controlling the stock and copyrights of the Hillbilly brand and the W. Lee O'Daniel Flour Corporation, that W. Lee O'Daniel personally will re-

ceive as reward and compensation for the ownership of said stock the full profits from same; now, therefore, be it

Resolved by the House of Representatives that W. Lee O'Daniel be informed that the House of Representatives of the Legislature of Texas considers that he is violating the Constitution by using his name and prestige as Governor of the State of Texas for merchandising purposes, on a flour sack, and for personal gain; therefore, be it

Resolved by the House, That W. Lee O'Daniel be requested to refrain, in the future, from putting his name on any more Hillbilly flour, or any other article of merchandise, during the period of time which he serves the people of Texas in the high office of Governor.

It being the high purpose of this Legislature to see that the Constitution of Texas remains pure, holy and undefiled, and that it not be desecrated by any one, even though he hold the office of Governor; and be it

Resolved by the House of Representatives that a copy of this resolution be duly signed by the Speaker and the Chief Clerk and sent to W. Lee O'Daniel, with the recommendations heretofore set forth.

The resolution was read second time.

(Mr. Hull in the Chair.)

Mr. Anderson moved that the resolution be referred to the Committee on State Affairs.

Mr. McDaniel moved to table the motion to refer the resolution.

Question recurring on the motion to table, yeas and nays were demanded.

The motion to table was lost by the following vote:

Yeas—39

Allen	Howington
Alsup	Isaacks
Bailey	Keith
Bradford	Kennedy
Bridgers	Kern
Brown of Cherokee	Langdon
Brown	Leyendecker
of Nacogdoches	Lock
Chambers	McAlister
Colquitt	McDaniel
Cornett	Newell
Crossley	Oliver
Davis of Jasper	Olsen
Galbreath	Pevehouse

Ragsdale
Rhodes
Roberts
Russell
Spencer
Vint

Waggoner
Weldon
Westbrook
Wilson
Worley
Wright

Nays—87

Broadfoot	Kerr
Allison	Kersey
Anderson	Kinard
Baker	King
of Fort Bend	Lehman
Baker of Grayson	Loggins
Blankenship	London
Bond	McFarland
Boyer	McMurry
Bradbury	McNamara
Bray	Mohrmann
Bundy	Monkhouse
Burkett	Montgomery
Burney	Morris
Cauthorn	Nicholson
Clark	Pace
Cleveland	Petsch
Cockrell	Piner
Coleman	Reader of Bexar
Colson, Mrs.	Reader of Erath
Davis of Upshur	Reaves
Dickison	Reed
Donaghey	Riviere
Dowell	Roach
Faulkner	Robinson
Felty	Schuenemann
Ferguson	Segrist
Fielden	Shell
Fuchs	Skiles
Goodman	Smith of Frio
Hale	Smith of Hopkins
Hamilton	Stinson
Hankamer	Stoll
Hardin	Talbert
Harp	Taylor
Harper	Tennant
Harrell of Lamar	Thornberry
Harris	Thornton
Hartzog	Turner
Holland	Vale
Howard	Wells
Hunt	White
Johnson of Ellis	Winfree
Johnson of Tarrant	Wood

Present—Not Voting

Boyd	Harrell of Bastrop
Corry	

Absent

Celaya	Heflin
Dean	Leonard
Dickson	Little
Dwyer	Mays
Gilmer	McDonald
Hardeman	Pope

Smith Tarwater
of Matagorda Voigt

Absent—Excused

Bell Derden
Daniel Gordon, Mrs.

Question then recurring on the motion by Mr. Anderson to refer the resolution to the Committee on State Affairs, it prevailed.

CONCERNING CERTAIN NEWSPAPER FOR MEMBERS

Mr. Bradbury offered the following resolution:

H. S. R. No. 104, Concerning certain newspaper for Members of the House.

Be It Resolved, That the Contingent Expense Committee of the House be authorized to furnish the Members of the House a copy, each week, of the State Observer during the length of the Regular Session, the total cost not to exceed Seven Dollars and Fifty Cents (\$7.50) per week.

The resolution was read second time.

Mr. Kerr moved that the resolution be referred to the Committee on Contingent Expenses.

The motion prevailed.

PROVIDING FOR COMMITTEE TO INVESTIGATE STATE OFFICE RENTALS

Mr. Celaya offered the following resolution:

H. S. R. No. 105, Providing for Committee to investigate State office rentals.

Whereas, The Governor has recommended retrenchment in the expenditures of Government where the same can be effected without in any manner limiting the effectiveness and proper administrations of the functions of Government; and

Whereas, It is a fact that many of the State Departments are now housed and quartered in rented buildings widely scattered and located at inconvenient parts of the City of Austin; and

Whereas, It is highly desirable and in the interest of economy, "good business," and convenience to the public that such quarters be located, if possible, as near to the Capitol as possible, to the end that the public

may contact such departments with the least inconvenience; and

Whereas, The Legislature and the Members thereof, are not apprised of the expenditures made to individuals and/or corporations owning said rented buildings; and

Whereas, It is desirable and highly important in a proper and economical administration of the affairs of Government, and in formulating of laws and plans, to minimize such expenditures to effect the savings suggested by the Governor, and demanded by the tax payers; and

Whereas, It is thought that vast sums of money now being paid as rentals and housing quarters for departments could be saved and/or materially reduced; and

Whereas, No effective plan could be formulated by this Legislature without first ascertaining the facts relative to the above mentioned matters; now, therefore, be it

Resolved by the House of Representatives, That a committee of five (5) Members be appointed by the Speaker of the House, to contact the various State Departments and agencies now paying rentals for office space within the city limits of Austin; that said committee advise with the Board of Control and State Auditor, and secure from them any information they may have on the above subject; that said committee contact the architect now employed by the Board of Control, and ascertain from him on estimates furnished by said architect the least space which would be required to house the different agencies and departments now paying rentals and approximate the cost of building and equipping the same, taking advantage of any and all materials which the State might secure for the least monetary consideration; that the committee contact those State agencies which are operating in conjunction with the Federal Government, and paying rentals from funds made available by the State; that this committee be authorized and instructed to begin their investigations immediately to the end that the information may be available to the Legislature at the earliest possible date, and it is so resolved.

The resolution was read second time.

Mr. Goodman moved that the resolution be referred to the Committee on Public Lands and Buildings.

Mr. Celaya moved to table the motion by Mr. Goodman.

The motion to table prevailed.

The resolution was then adopted.

EXTENDING PRIVILEGES OF THE FLOOR

Mr. Heflin offered the following resolution:

H. S. R. No. 106, Extending privileges of the floor.

Whereas, Mrs. Ira D. Sykes, President of the City Federation of Women's Clubs, is bringing a group of outstanding Houston club women to Austin on February 1, 1939, on a "Good Will Tour;" and

Whereas, These women are anxious to "spread the good word" about the annual Fat Stock Show, opening in Houston, February 25th, and to extend an invitation to all Members of the Legislature to attend said Fat Stock Show on Legislators' Day and to attend the National Flower and Garden Show which opens on February 12th; now, therefore, be it

Resolved by the House of Representatives, That the privileges of the floor be extended to this delegation at 12:00 m., Thursday, February 2nd, in order that Mrs. Wilhelmina Beane and Mrs. Montie Beach may extend invitations to the Legislature to attend the Fat Stock Show and the National Flower and Garden Show, and that Mrs. Allan B. Hannay may speak on "Houston's Own Azalea Trail."

The resolution was read second time, and was adopted.

CONCERNING INSIGNIA ON TEXAS MOTOR VEHICLES LICENSE PLATES

The Chair laid before the House, for consideration, at this time, House Concurrent Resolution No. 21, Concerning insignia on Texas' motor vehicles license plates.

The resolution having been read second time and referred to the Committee on Highways and Motor Traffic.

The Committee on Highways and Motor Traffic having recommended the adoption of the resolution.

The resolution was adopted.

MEMORIALIZING CONGRESS IN REGARD TO TITLE OF SUBMERGED LANDS AND OIL RESERVES

Mr. Brown of Cherokee offered the following resolution:

H. C. R. No. 27, Memorializing Congress in regard to title of submerged lands and oil reserves.

Memorializing Congress to defeat Senate Joint Resolution No. 24, by Senator Nye, which asserts title to submerged lands and oil reserves along the coast of the State of Texas lying within the three mile limit, petitioning our Congressmen to oppose such resolution and authorizing the Attorney General and other Representatives to appear in Washington in opposition to the passage of such resolution in Congress, and asserting title to such submerged lands to be vested in the permanent school fund of the State of Texas.

Whereas, During the past and present sessions of Congress, bills and resolutions have been introduced into the Congress of the United States of America claiming, directly and by implication, that the United States of America has sovereign rights to and is the owner of all lands, oil and mineral reserves under water along the coast line of the United States extending out to the three mile limit; and

Whereas, There is now pending in Congress Senate Joint Resolution No. 24, by Senator Nye, which asserts that title and ownership of said lands and said oil reserves is vested in the United States of America instead of the various individual States of the United States; and

Whereas, Title to such land is by right and by law vested in the several States and their grantees and they cannot be deprived of their rights to the ownership of such land without just compensation; and

Whereas, Senate Joint Resolution No. 24 asserts title to said land and undertakes to appropriate the oil reserves along such coast line extending out to the three mile limit for the use and benefit of the United States Navy; and

Whereas, The State of Texas, in its Treaty of Annexation to the United States, specifically reserved all of its lands and the public domain of the State of Texas extending along the coast line into the Gulf of Mexico

three leagues from shore and has heretofore, by legislative enactment and by Constitutional provision, conveyed title to all of said submerged land along the coast line of the Gulf of Mexico to the Permanent School Fund of the State of Texas and that the title to said land, together with all mineral rights thereunder, is now vested in the Permanent School Fund of the State of Texas as an endowment of public education for the use and benefit of the public school system of the State of Texas, and that there is now estimated to be oil resources vested in said fund to the extent of at least One Hundred Million Dollars (\$100,000,000.00); now, therefore, be it

Resolved by the Senate of Texas, the House concurring, That the adoption by the Congress of the United States of any legislation, directly or indirectly, that the United States has a sovereign title to and ownership of lands under navigable waters or any of the mineral deposits thereunder, or authorizing any suit, or other proceeding by Federal officers to obtain possession or use of such lands or mineral deposits without the payment of a just compensation, is contrary to law and sound policy and should be opposed; and be it further

Resolved, That Gerald Mann, Attorney General of the State of Texas; Bascom Giles, Land Commissioner; R. A. Stuart, Attorney for the Texas State Teachers Association; General Claude V. Burkhead, Representative of Governor W. Lee O'Daniel; and Coke R. Stevenson, Lieutenant Governor, be and they are hereby authorized to oppose, in the name and on behalf of the State of Texas and of the Permanent School Fund and the school children of the State of Texas, the adoption of any such legislation by Congress, and in connection therewith to furnish copies of this resolution to such committees and Members of Congress as may be appropriate or desirable, to prepare briefs and memoranda in opposition to such legislation, and submit the same to Members of Congress and to the committees considering said resolution, and to appear in opposition thereto at any hearing, and generally to take such steps as may be necessary to carry out the intent and spirit of this resolution.

Be It Further Resolved, That we assert ownership to said lands, and

the natural resources thereof, to be vested in the Permanent School Fund of the State of Texas and that we urgently request and petition our Representatives in Congress from the State of Texas, and other representatives in Congress, to defeat the Nye resolution or any other resolution that undertakes to interfere with the title or possession of said land or any operation thereof for the use and benefit of the public free schools of the State of Texas.

BROWN of Cherokee,
HANKAMER.

The resolution was read second time, and was adopted.

PROVIDING FOR CERTAIN ADJOURNMENT PERIOD

Mr. Segrist offered the following resolution:

H. C. R. No. 28, Providing for certain adjournment period.

Be It Resolved by the House of Representatives, the Senate concurring, That each House grant to the other permission to adjourn from Thursday, February 2, 1939, to Monday, February 6, 1939.

The resolution was read second time, and was adopted.

SENATE BILL NO. 119 ON SECOND READING

The Chair laid before the House, on its second reading and passage to third reading,

S. B. No. 119, A bill to be entitled "An Act amending Article 7098, Revised Civil Statutes, 1925, so as to place the State Treasurer on the State Tax Board, in place of the Tax Commissioner, and declaring an emergency."

The bill was read second time.

Mr. Reed offered the following amendment to the bill:

Amend Senate Bill No. 119, by changing the words "State Treasurer" wherever they appear to read "Attorney General".

REED,
HARDEMAN,
HEFLIN,
PETSCH,
GOODMAN,
SMITH of Matagorda,
MORRIS,
KEITH.

Mr. Kersey moved to table the amendment.

Question recurring on the motion to table, yeas and nays were demanded.

The motion to table was lost by the following vote:

Yeas—40

Allen	Kerr
Bradford	Kersey
Broadfoot	Lehman
Brown	Mays
of Nacogdoches	McAlister
Bundy	McDaniel
Burkett	McFarland
Celaya	Newell
Cockrell	Nicholson
Colson, Mrs.	Piner
Corry	Pope
Crossley	Ragsdale
Davis of Jasper	Rhodes
Davis of Upshur	Robinson
Galbreath	Schuenemann
Hankamer	Shell
Hardin	Smith of Hopkins
Harper	Stoll
Harrell of Bastrop	Thornton
Hartzog	Wright
Hunt	

Nays—97

Alsup	Hale
Anderson	Hamilton
Bailey	Hardeman
Baker	Harp
of Fort Bend	Harrell of Lamar
Baker of Grayson	Harris
Bond	Heflin
Boyd	Holland
Boyer	Howard
Bradbury	Howington
Bray	Isaacks
Bridgers	Johnson of Ellis
Brown of Cherokee	Johnson of Tarrant
Burney	Keith
Cauthorn	Kennedy
Chambers	Kern
Clark	Kinard
Cleveland	King
Coleman	Langdon
Colquitt	Leyendecker
Cornett	Little
Dean	Lock
Donaghey	London
Dowell	McDonald
Dwyer	McMurry
Faulkner	McNamara
Felty	Mohrmann
Ferguson	Monkhouse
Fielden	Montgomery
Fuchs	Morris
Gilmer	Oliver
Goodman	Pace

Petsch	Tarwater
Pevehouse	Taylor
Reader of Bexar	Tennant
Reader of Erath	Thornberry
Reaves	Turner
Reed	Vale
Riviere	Vint
Roach	Voigt
Roberts	Waggoner
Russell	Weldon
Segrist	Wells
Skiles	Westbrook
Smith of Frio	White
Smith	Wilson
of Matagorda	Winfree
Spencer	Wood
Stinson	Worley
Talbert	

Absent

Allison	Hull
Blankenship	Leonard
Dickison	Loggins
Dickson	Olsen

Absent—Excused

Bell	Derden
Daniel	Gordon, Mrs.

Question then recurring on the amendment by Mr. Reed, it was adopted.

Mr. Petsch offered the following amendment to the bill:

Amend Senate Bill No. 119, strike out all of Section 1, after the word "follows", and also Sections 2 and 3, and substitute therefor the following:

"Art. 7098. State Tax Board. The State Tax Board shall be composed of the Comptroller, the Secretary of State and the Attorney General. A record of the proceedings of said Board shall be kept at the State Capitol and shall be open to inspection of the public.

"Section 2. The Tax Board shall appoint a Tax Commissioner who shall perform such functions as are required by law."

PETSCH,
SMITH of Matagorda,
HARDEMAN,
MORRIS,
KEITH,
WORLEY.

Mr. Thornton moved to table the amendment by Mr. Petsch.

Question recurring on the motion to table, yeas and nays were demanded.

The motion to table prevailed by the following vote:

Yeas—117

Allen	Kersey
Allison	Kinard
Alsup	Lehman
Anderson	Leonard
Bailey	Leyendecker
Baker of Grayson	Little
Blankenship	Lock
Bond	Loggins
Boyer	Mays
Bradbury	McAlister
Bradford	McDaniel
Bray	McMurry
Bridgers	McNamara
Broadfoot	Mohrmann
Brown	Monkhouse
of Nacogdoches	Montgomery
Bundy	Newell
Burkett	Nicholson
Burney	Oliver
Celaya	Olsen
Chambers	Pace
Clark	Pevehouse
Cleveland	Piner
Cockrell	Reader of Bexar
Coleman	Reader of Erath
Colquitt	Reaves
Colson, Mrs.	Reed
Cornett	Rhodes
Corry	Riviere
Crossley	Roberts
Davis of Jasper	Robinson
Davis of Upshur	Russell
Dean	Schuenemann
Donaghey	Segrist
Dwyer	Shell
Faulkner	Skiles
Felty	Smith of Frio
Ferguson	Smith
Fuchs	of Matagorda
Galbreath	Stinson
Gilmer	Stoll
Goodman	Talbert
Hale	Tarwater
Hamilton	Taylor
Hankamer	Tennant
Hardin	Thornton
Harp	Turner
Harper	Vale
Harrell of Bastrop	Vint
Harrell of Lamar	Voigt
Harris	Waggoner
Hartzog	Weldon
Heflin	Wells
Howard	Westbrook
Howington	White
Hunt	Wilson
Johnson of Ellis	Winfree
Johnson of Tarrant	Wood
Kern	Wright
Kerr	

Nays—19

Baker	Langdon
of Fort Bend	London
Boyd	McFarland
Brown of Cherokee	Morris
Cauthorn	Petsch
Hardeman	Roach
Holland	Smith of Hopkins
Isaacks	Spencer
Keith	Thornberry
Kennedy	Worley

Absent

Dickison	King
Dickson	McDonald
Dowell	Pope
Fielden	Ragsdale
Hull	

Absent—Excused

Bell	Derden
Daniel	Gordon, Mrs.

REASON FOR VOTE

To enable the small counties to collect intangible taxes not on the tax rolls, I believe my vote is right on this question.

SPENCER.

Mr. Keith offered the following amendment to the bill:

Amend Senate Bill No. 119, Section 2, by striking out the word "Comptroller" and substituting therefor the words "Attorney General".

(Speaker in the Chair.)

Mr. Thornton moved to table the amendment by Mr. Keith.

The motion to table prevailed.

Mr. Bond offered the following amendment to the bill:

Amend Senate Bill No. 119, Section 3, by inserting between the phrase "Tax Commissioner of the State of Texas" and the word "shall" the words "and its personnel, salaries, rents, and any and all maintenance and miscellaneous expense thereof".

Mr. Bond moved the previous question, on the pending amendment, and the passage of Senate Bill No. 119 to third reading, and the main question was ordered.

Question recurring on the amendment by Mr. Bond, it was adopted.

By unanimous consent of the House, the caption of the bill was ordered amended to conform to all changes and with the body of the bill.

Senate Bill No. 119 was passed to third reading by the following vote:

Yeas—129

Allen	Howington
Allison	Hull
Alsup	Hunt
Anderson	Isaacks
Bailey	Johnson of Ellis
Baker	Johnson of Tarrant
of Fort Bend	Kern
Baker of Grayson	Kerr
Blankenship	Kersey
Bond	Kinard
Boyer	Langdon
Bradbury	Lehman
Bradford	Leonard
Bray	Leyendecker
Bridgers	Little
Broadfoot	Lock
Brown	Loggins
of Nacogdoches	Mays
Bundy	McAlister
Burkett	McDaniel
Burney	McDonald
Cauthorn	McMurry
Celaya	McNamara
Chambers	Mohrmann
Clark	Montgomery
Cleveland	Newell
Cockrell	Nicholson
Coleman	Oliver
Colquitt	Pace
Colson, Mrs.	Pevehouse
Cornett	Piner
Corry	Pope
Crossley	Ragsdale
Davis of Jasper	Reader of Bexar
Davis of Upshur	Reader of Erath
Dean	Reaves
Dickison	Reed
Donaghey	Riviere
Dowell	Roach
Dwyer	Roberts
Faulkner	Robinson
Felty	Russell
Ferguson	Schuenemann
Fielden	Segrist
Fuchs	Shell
Galbreath	Skiles
Gilmer	Smith of Frio
Goodman	Smith of Hopkins
Hale	Smith
Hamilton	of Matagorda
Hankamer	Spencer
Hardin	Stinson
Harp	Stoll
Harper	Talbert
Harrell of Bastrop	Tarwater
Harrell of Lamar	Taylor
Harris	Tennant
Hartzog	Thornton
Heflin	Turner
Howard	Vale

Vint
Voigt
Waggoner
Weldon
Wells
Westbrook

White
Wilson
Winfree
Wood
Worley
Wright

Nays—12

Boyd	London
Brown of Cherokee	McFarland
Holland	Morris
Keith	Petsch
Kennedy	Rhodes
King	Thornberry

Absent

Dickson	Monkhouse
Hardeman	Olsen

Absent—Excused

Bell	Derden
Daniel	Gordon, Mrs.

SENATE BILL NO. 119 ON THIRD READING

Mr. Thornton moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that Senate Bill No. 119 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—128

Allen	Coleman
Allison	Colquitt
Alsup	Colson, Mrs.
Anderson	Cornett
Bailey	Corry
Baker	Crossley
of Fort Bend	Davis of Jasper
Baker of Grayson	Davis of Upshur
Blankenship	Dean
Bond	Dickison
Boyer	Donaghey
Bradbury	Dowell
Bradford	Dwyer
Bray	Faulkner
Bridgers	Felty
Broadfoot	Ferguson
Brown	Fielden
of Nacogdoches	Fuchs
Bundy	Galbreath
Burkett	Gilmer
Burney	Goodman
Cauthorn	Hale
Celaya	Hamilton
Chambers	Hankamer
Clark	Hardin
Cleveland	Harp
Cockrell	Harper

Harrell of Bastrop	Reader of Bexar
Harrell of Lamar	Reader of Erath
Harris	Reaves
Hartzog	Reed
Heflin	Riviere
Howard	Roach
Howington	Roberts
Hull	Robinson
Hunt	Russell
Isaacks	Schuenemann
Johnson of Ellis	Segrist
Johnson of Tarrant	Shell
Kern	Skiles
Kerr	Smith of Frio
Kersey	Smith of Hopkins
Kinard	Smith
Lehman	of Matagorda
Leonard	Spencer
Leyendecker	Stinson
Little	Stoll
Lock	Talbert
Loggins	Tarwater
Mays	Taylor
McAlister	Tennant
McDaniel	Thornton
McDonald	Turner
McMurry	Vale
McNamara	Vint
Mohrmann	Waggoner
Monkhouse	Weldon
Montgomery	Wells
Newell	Westbrook
Nicholson	White
Oliver	Wilson
Pace	Winfree
Pevehouse	Wood
Piner	Worley
Pope	Wright
Ragsdale	

Nays—14

Boyd	Langdon
Brown of Cherokee	London
Hardeman	McFarland
Holland	Morris
Keith	Petsch
Kennedy	Rhodes
King	Thornberry

Absent

Dickson	Voigt
Olsen	

Absent—Excused

Bell	Derden
Daniel	Gordon, Mrs.

The Speaker then laid Senate Bill No. 119 before the House on its third reading and final passage.

The bill was read third time, and was passed by the following vote:

Yeas—130

Allen	Alsup
Allison	Anderson

Bailey	King
Baker	Langdon
of Fort Bend	Lehman
Baker of Grayson	Leonard
Blankenship	Leyendecker
Bond	Little
Boyer	Lock
Bradbury	Loggins
Bradford	Mays
Bray	McAlister
Bridgers	McDaniel
Broadfoot	McDonald
Brown	McMurry
of Nacogdoches	McNamara
Bundy	Mohrmann
Burkett	Monkhouse
Burney	Montgomery
Cauthorn	Newell
Celaya	Nicholson
Chambers	Oliver
Clark	Pace
Cleveland	Petsch
Cockrell	Pevehouse
Coleman	Piner
Colquitt	Pope
Colson, Mrs.	Ragsdale
Cornett	Reader of Bexar
Corry	Reader of Erath
Crossley	Reaves
Davis of Upshur	Reed
Dean	Riviere
Dickison	Roach
Donaghey	Roberts
Dowell	Robinson
Dwyer	Russell
Faulkner	Schuenemann
Felty	Segrist
Ferguson	Shell
Fielden	Skiles
Fuchs	Smith of Frio
Galbreath	Smith of Hopkins
Gilmer	Smith
Goodman	of Matagorda
Hale	Spencer
Hamilton	Stinson
Hankamer	Stoll
Hardin	Talbert
Harp	Tarwater
Harper	Taylor
Harrell of Bastrop	Tennant
Harrell of Lamar	Thornton
Harris	Turner
Hartzog	Vale
Heflin	Vint
Howard	Waggoner
Howington	Weldon
Hull	Wells
Hunt	Westbrook
Isaacks	White
Johnson of Ellis	Wilson
Johnson of Tarrant	Winfree
Kern	Wood
Kerr	Worley
Kersey	Wright
Kinard	

Nays—11

Boyd	London
Brown of Cherokee	McFarland
Hardeman	Morris
Holland	Rhodes
Keith	Thornberry
Kennedy	

Absent

Davis of Jasper	Olsen
Dickson	Voigt

Absent—Excused

Bell	Derden
Daniel	Gordon, Mrs.

Mr. Thornton moved to reconsider the vote by which Senate Bill No. 119 was passed, and to table the motion to reconsider.

The motion to table prevailed.

MESSAGE FROM THE GOVERNOR

The Speaker laid before the House, and had read the following message from the Governor:

Austin, Texas, February 1, 1939.
To the Members of the Forty-sixth Legislature:

I submit to you House Bill No. 373 as an emergency measure for your consideration.

The effect of the bill would be to withdraw from sale or lease all public free school lands heretofore authorized by any law of this State to be sold or leased from the effective date of the Act until after the expiration of ninety (90) days from the adjournment of the Regular Session of this Legislature.

I am prompted to urge the immediate passage of this legislation by reason of the fact that the laws of this State pertaining to the sale and lease of public free school lands, particularly with reference to vacancies, are inadequate to protect the best interests of the Permanent School Fund and the tax-paying citizens of this State, and for the further reason that legislation is now pending before this Legislature for the purpose of correcting the evils now existing in the present laws.

It appears to me that this legislation would not only serve the best interests of the State and the citizens affected thereby, but would also be of assistance to you in determining proper legislation to regulate the sale

or lease of public free school lands under the conditions now existing.

Respectfully submitted,

W. LEE O'DANIEL,
Governor of Texas.

COMMUNICATION FROM HON. R. L. READER

The Speaker laid before the House, and had read the following communication:

Hon. R. Emmett Morse, Speaker of the House of Representatives, Forty-sixth Legislature, Austin, Texas.

Dear Sir: Appointed by you to represent the House of Representatives and to cooperate with the local Committee on National Infantile Paralysis Drive, I beg to report that I was assisted in this drive by:

Mrs. Bob Long,
Mrs. Jake Avis,
Mrs. Mamie Oneal.

We are pleased to say we collected \$72.00 from House Members; and \$16.10 from women employees and elected officers, and turned over to Col. E. O. Thompson, chairman of the local committee, \$88.10.

Signed,

R. L. READER, Chairman,
MRS. BOB LONG,
MRS. JAKE AVIS,
MRS. MAMIE ONEAL.

APPOINTMENT OF COMMITTEE TO INVESTIGATE STATE OFFICE RENTALS

In accordance with the provisions of H. S. R. No. 105, the Speaker announced the appointment of the following committee:

Messrs. Wood, chairman; Bundy, Gilmer, Hankamer and Hartzog.

RELATIVE TO HOUSE BILL NO. 340

By unanimous consent of the House, Mr. Lehman was given permission to withdraw his name as co-author of House Bill No. 340.

MESSAGE FROM THE SENATE

Austin, Texas, February 1, 1939.
Hon. Emmett Morse, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House the Senate has passed the following:

H. B. No. 157, A bill to be entitled "An Act creating and establishing

Jackson County Road District No. 10 in Jackson County, Texas, under Article II, Section 52 of the Constitution for the purpose of the construction, operation, and maintenance of macadamized, graveled, or paved roads or turnpikes, or in aid thereof; describing the territory included therein; making the District a body corporate with authority to sue and be sued; authorizing the District to issue bonds upon two-thirds vote of the qualified electors who own taxable property in said district and who have duly rendered the same for taxation voting at an election; prescribing the method of calling and conducting such election, and the method of issuing said bonds; directing the levy, assessment, and collection of a tax for the payment of principal and interest of said bonds; providing for the custody and disbursement of the funds of the District; providing that in awarding contracts for road construction the Commissioners' Court shall advertise for bids and shall award the contract to the lowest and best bidder; providing that the fact that portions of the District hereby created are also included in other Road Districts having outstanding bonds shall not effect the District hereby created or its powers hereby granted, and declaring an emergency."

S. B. No. 105, A bill to be entitled "An Act forbidding suits on commissions for sale or purchase of real estate, oil and/or gas mining leases, oil and/or gas royalties, minerals or mineral interests, unless the promise or agreement on which such suit is brought is in writing and signed by the person sought to be charged therewith; and providing that this Act shall not apply to any such action pending in any court in this State at the effective date of this Act, and declaring an emergency."

Respectfully,

BOB BARKER,

Secretary of the Senate.

BILL AND RESOLUTIONS SIGNED BY THE SPEAKER

The Speaker signed in the presence of the House, after giving due notice thereof, and their captions had been read severally, the following enrolled bill and resolutions:

H. C. R. No. 23, Extending congratulations of the House.

H. C. R. No. 26, Inviting Nathan Straus to address the Legislature.

H. B. No. 71, "An Act regulating the election of judges and clerks and the appointment of supervisors; prescribing their number and rates of pay and the duties of supervisors in all elections for the election of officers in all cities in this State having a population in excess of two hundred thousand (200,000) and less than two hundred and sixty thousand (260,000) by the last preceding Federal Census or any future Federal Census; providing for its enforcement; providing for partial invalidity; repealing all the portions of laws; charter provisions and ordinances in conflict therewith; defining a local political party, and declaring an emergency."

SENATE BILL ON FIRST READING

The following Senate bill, received from the Senate today, was laid before the House, read first time, and referred to the appropriate committee, as follows:

Senate Bill No. 105, to the Committee on Judiciary.

ADJOURNMENT

On motion of Mr. Faulkner, the House, at 12:05 o'clock p. m., adjourned until 10:00 o'clock a. m., tomorrow.

APPENDIX

STANDING COMMITTEE REPORTS

The following committees filed favorable reports on bills and resolutions, as follows:

Oil, Gas and Mining: House Concurrent Resolution No. 15.

Public Lands and Buildings: House Bill No. 373.

Game and Fisheries: House Bills Nos. 134, 264, 276, 301, 351, 352 and 354 and Senate Bill No. 72.

Federal Relations: House Simple Resolution No. 102 and 101.

The Committee on Appropriations filed an adverse report on House Bill No. 199.

The Committee on Appropriations filed adverse reports with a minority favorable report on House Bills Nos. 24 and 336.

REPORT OF THE COMMITTEE
ON ENGROSSED BILLS

Committee Room,

Austin, Texas, February 1, 1939.

Hon. R. Emmett Morse, Speaker of
the House of Representatives.Sir: Your Committee on En-
grossed Bills, to whom was referredH. C. R. No. 21, Authorizing the
Highway Department to place the in-
signia of the Longhorn Steer on the
1940 Motor Vehicle License Plates.Has carefully compared same and
finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, February 1, 1939.

Hon. R. Emmett Morse, Speaker of
the House of Representatives.Sir: Your Committee on En-
grossed Bills, to whom was referredH. C. R. No. 27, Petitioning our
Congressmen to oppose the Nye res-
olution.Has carefully compared same and
finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, February 1, 1939.

Hon. R. Emmett Morse, Speaker of
the House of Representatives.Sir: Your Committee on Engrossed
Bills, to whom was referredH. C. R. No. 28, Granting permis-
sion to each House to adjourn Thurs-
day, February 2, 1939, to Monday,
February 6, 1939.Has carefully compared same and
finds it correctly engrossed.

BRIDGERS, Chairman.

REPORTS OF THE COMMITTEE
ON ENROLLED BILLS

Committee Room,

Austin, Texas, January 30, 1939.

Hon. R. Emmett Morse, Speaker of
the House of Representatives.Sir: Your Committee on Enrolled
Bills, to whom was referredH. C. R. No. 23, Congratulating the
cast of "The American Way of Life",
a pageant presented at the inaugura-
tion of the Governor and Lieutenant
Governor of the State of Texas.Has carefully compared same and
finds it correctly enrolled.

HAMILTON, Chairman.

Austin, Texas, January 31, 1939.

Hon. R. Emmett Morse, Speaker of
the House of Representatives.Sir: Your Committee on Enrolled
Bills, to whom was referredH. C. R. No. 26, Arranging a Joint
Session on March 3, 1939, for the pur-
pose of hearing an address by the
Honorable Nathan Straus.Has carefully compared same and
finds it correctly enrolled.

HAMILTON, Chairman.

Austin, Texas, January 31, 1939.

Hon. R. Emmett Morse, Speaker of
the House of Representatives.Sir: Your Committee on Enrolled
Bills, to whom was referredH. B. No. 71, "An Act regulating
the election of judges and clerks and
the appointment of supervisors; pre-
scribing their number and rates of
pay and the duties of supervisors in
all elections for the election of officers
in all cities in this State having a
population in excess of two hundred
thousand (200,000) and less than two
hundred and sixty thousand (260,000)
by the last preceding Federal Census
or any future Federal Census; pro-
viding for its enforcement; providing
for partial invalidity; repealing all
the portions of laws, charter pro-
visions, and ordinances in conflict
therewith; defining a local political
party, and declaring an emergency."Has carefully compared same and
finds it correctly enrolled.

HAMILTON, Chairman.

Austin, Texas, January 31, 1939.

Hon. R. Emmett Morse, Speaker of
the House of Representatives.Sir: Your Committee on Enrolled
Bills, to whom was referredH. B. No. 233, "An Act to validate
the establishment of consolidated in-
dependent school districts in counties
having not less than thirteen thou-
sand, five hundred (13,500) nor more
than fifteen thousand, five hundred
(15,500) population, according to the
last preceding Federal Census, as
established by the acts of the County
Boards of School Trustees of such
counties, and ratifying and confirm-
ing said acts of such Boards; making

certain exceptions, and declaring an emergency."

Has carefully compared same and finds it correctly enrolled.

HAMILTON, Chairman.

Austin, Texas, January 31, 1939.

Hon. R. Emmett Morse, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 251, "An Act providing that in counties having a population of not less than thirty thousand, five hundred and eighty-three (30,583) and not more than thirty thousand, six hundred (30,600), according to the last preceding Federal Census, the County Judge may appoint a court stenographer to be called and known as the Official County Court Reporter of the County Court; defining and prescribing the duties of such Court Reporter, and fixing the compensation and tenure of office; prescribing the fund from which the salary is to be paid and prescribing the taxing of costs in civil suits in which answer is filed, and declaring an emergency."

Has carefully compared same and finds it correctly enrolled.

HAMILTON, Chairman.

SENT TO GOVERNOR

February 1, 1939

House Concurrent Resolution No. 23.

House Bill No. 233.

SIXTEENTH DAY

(Thursday, February 2, 1939)

The House met at 10:00 o'clock a. m., pursuant to adjournment, and was called to order by Speaker Morse.

The roll of the House was called, and the following Members were present:

Mr. Speaker	Boyer
Allen	Bradbury
Allison	Bray
Alsup	Bridgers
Anderson	Broadfoot
Bailey	Brown of Cherokee
Baker	Brown
of Fort Bend	of Nacogdoches
Baker of Grayson	Bundy
Blankenship	Burkett
Bond	Burney
Boyd	Cauthorn

Celaya	Loggins
Chambers	London
Clark	McAlister
Cleveland	McDaniel
Cockrell	McDonald
Coleman	McMurry
Colquitt	McNamara
Colson, Mrs.	Mohrmann
Cornett	Montgomery
Corry	Morris
Crossley	Newell
Davis of Jasper	Nicholson
Davis of Upshur	Oliver
Dean	Olsen
Derden	Pace
Dickison	Petsch
Dickson	Pevhouse
Dowell	Piner
Dwyer	Pope
Faulkner	Ragsdale
Felty	Reader of Bexar
Ferguson	Reader of Erath
Fielden	Reaves
Fuchs	Reed
Galbreath	Rhodes
Gilmer	Riviere
Goodman	Roach
Gordon, Mrs.	Roberts
Hale	Robinson
Hamilton	Russell
Hankamer	Schuenemann
Hardeman	Segrist
Hardin	Shell
Harp	Skiles
Harper	Smith of Frio
Harrell of Bastrop	Smith of Hopkins
Harrell of Lamar	Smith
Harris	of Matagorda
Hartzog	Spencer
Heflin	Stinson
Holland	Stoll
Howard	Talbert
Howington	Tarwater
Hull	Taylor
Hunt	Tennant
Isaacks	Thornberry
Johnson of Ellis	Thornton
Johnson of Tarrant	Turner
Keith	Vale
Kennedy	Vint
Kern	Voigt
Kerr	Waggoner
Kersey	Weldon
Kinard	Wells
King	Westbrook
Langdon	White
Lehman	Wilson
Leonard	Winfree
Levendeker	Wood
Little	Worley
Lock	Wright
	Absent—Excused
Bell	Daniel
Bradford	Donaghey